

March 28, 2024

By ECF

Hon. Kiyo A Matsumoto
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Larby Amirouche a/k/a Luke Williams; 21-cr-64 (KAM)

Your Honor,

I represented the defendant, Mr. Luke Williams, in the above-referenced matter. The Court issued an Order requesting that I provide a “brief response to Defendant’s *pro se* [59] notice of termination of counsel by March 28, 2024”. Mr. Williams’ *pro se* filing clearly discharged my services as his attorney of record in this matter. I therefore respectfully request that the Court issue an Order that my representation be terminated.

Pursuant to Local Civil Rule 1.4, as made applicable to this matter by Local Criminal Rule 1.2, “an attorney of record for a party may be relieved or displaced only by order of the Court and may not withdraw from a case without leave of the court granted by order. Such an order may be granted only upon a showing by affidavit or otherwise of satisfactory reasons for withdrawal or displacement and the posture of the case, including its position, if any, on the calendar, and whether or not the attorney is asserting a retaining or charging lien.” New York Rules of Professional Conduct 1.16 (b) provides that “a lawyer shall withdraw from the representation of a client when: (3) the lawyer is discharged.”

I am not asserting a retaining or charging lien on this case. This matter is effectively closed as the Defendant is set to surrender to the BOP on March 29, 2024. Pursuant to my professional obligations, I filed a Notice of Appeal and attempted to perfect such appeal to the Second Circuit. At the Defendant’s written direction, a motion to withdraw the appeal was filed and on March 19, 2024 the Second Circuit granted the motion. I have not been retained to represent the Defendant on any post-conviction matters. Therefore, pursuant to Local Civil Rule 1.4 as well as New York Rule 1.16 (b) my termination should be effective upon Mr. Williams’ filing of his notice of termination of counsel, Docket Entry No. 59. I thank the Court for its attention to this matter.

Respectfully submitted,
/s
Michael P. Kushner, Esq.

Cc: All counsel of Record
(Via ECF)